

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
Fort Worth Division**

Outsourcing Facilities Association, *et al.*,

Plaintiffs,

v.

U.S. Food and Drug Administration, *et al.*,

Defendants, and

Eli Lilly and Company,

Intervenor-Defendant.

Case No. 4:24-cv-00953-P

**FEDERAL DEFENDANTS' RESPONSE REGARDING
ADMINISTRATIVE RECORD EXCERPTS**

Federal Defendants respectfully submit this response to the Court's Order regarding the parties' Joint Motion to Convert Order Denying Preliminary Injunction into a Final Judgment. ECF No. 109. In its Order, the Court directed the parties to submit "any excerpts from the administrative record that they wish the Court to see prior to the entry of a judgment on the merits." *Id.* at 2.

In its response to the Court's order, Intervenor-Defendant provided the Court with AR247–579. *See* ECF No. 113. Federal Defendants submit that Intervenor-Defendant's excerpts encompass the excerpts that Federal Defendants wish the Court to see prior to the entry of a judgment on the merits. Federal Defendants note that those excerpts include pages that the parties filed as part of preliminary-injunction briefing. *See* ECF Nos. 83-1 (Federal Defendants' Exhibits: AR422–32, AR453–77, AR570–79), ECF No. 98-1 (Plaintiffs' Exhibits: AR304–305, AR327, AR354–55, AR415, AR426, AR476–77, AR488, AR575). The remaining excerpts were not previously submitted to the Court. Federal Defendants also note, for completeness, that the parties previously submitted to the Court the documents that appear at AR1–12 (Declaratory

Order), *see* ECF No. 32-1, and AR13–32 (Decision Memo), *see* ECF No. 65-1, and extensively referenced those documents in preliminary-injunction briefing.

Dated: March 25, 2025

Respectfully submitted,

/s/ Oliver McDonald

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CERTIFICATE OF SERVICE

I hereby certify that this document, filed through the CM/ECF system, will be sent via electronic mail to the registered participants as identified on the Notice of Electronic Filing.

March 25, 2025

/s/ Oliver McDonald
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